

Article - Transportation

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§24–401.

(a) (1) This section applies to a person who violates the Maryland Vehicle Law by exceeding, as to any vehicle or combination of vehicles:

(i) The maximum weight limit for which the vehicle or combination of vehicles is registered;

(ii) A statutory weight limit; or

(iii) Subject to paragraph (2)(i) of this subsection, the maximum weight limit imposed by signs that have been placed to regulate the weight of a vehicle passing over a bridge or culvert under § 24–206 of this title.

(2) This section does not apply to a person who:

(i) Violates a weight limit imposed by signs if there are no signs posting the weight limit located:

1. At the bridge or culvert; and

2. Before the last available alternate route that bypasses the bridge or culvert; or

(ii) Is operating an emergency vehicle when responding to an emergency.

(b) Except on an interstate highway, a tolerance of 1,000 pounds over a weight limit to which this section applies is allowed, and only weight in excess of this tolerance is a violation, if:

(1) The overall gross weight does not exceed 80,000 pounds, including any enforcement or statutory tolerances; or

(2) The vehicle is being operated under a valid permit for gross weight exceeding 80,000 pounds.

(c) Except as provided in subsection (d) of this section, a person convicted of a weight violation to which this section applies on any highway in the State, including an interstate highway, is subject to the following fines:

(1) 1 cent for each pound for the first 1,000 pounds of weight over any allowable weight;

(2) 5 cents for each pound of excess weight over 1,000 pounds but less than 5,001 pounds;

(3) 12 cents for each additional pound of excess weight over 5,000 pounds but less than 10,001 pounds;

(4) 20 cents for each additional pound of excess weight over 10,000 pounds but less than 20,001 pounds; and

(5) 40 cents for each additional pound of excess weight over 20,000 pounds.

(d) A person convicted of a weight violation to which this section applies on the William Preston Lane, Jr. Memorial (Chesapeake Bay) Bridge, or its appurtenant approaches that are under the jurisdiction of the Maryland Transportation Authority, is subject to the following fines:

(1) 1 cent for each pound for the first 1,000 pounds over any allowable weight;

(2) 5 cents for each additional pound of excess weight over 1,000 pounds but less than 2,001 pounds;

(3) 10 cents for each additional pound of excess weight over 2,000 pounds but less than 5,001 pounds;

(4) 24 cents for each additional pound of excess weight over 5,000 pounds but less than 10,001 pounds;

(5) 40 cents for each additional pound of excess weight over 10,000 pounds but less than 20,001 pounds; and

(6) 80 cents for each additional pound of excess weight over 20,000 pounds.

(e) In computing a fine under this section, a credit for any excess weight caused by an accumulation of cinders, snow, or ice shall be granted.

(f) Notwithstanding any other law, a court may not suspend or reduce a fine imposed for a conviction for a weight violation.

(g) (1) If an out-of-state vehicle is subject to a weight violation or an out-of-state person is responsible for or operating a vehicle subject to a weight violation:

(i) The person is subject to a citation and further proceedings under Title 26 of this article; or

(ii) The vehicle shall be impounded until the fine is paid or acceptable collateral is posted.

(2) Cargo contained in the vehicle may not be impounded.

(3) If the fine has not been paid or acceptable collateral has not been posted within 90 days after the date of impoundment, the vehicle may be sold at public auction under the jurisdiction of the court to satisfy the fine, accrued interest, and costs.

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